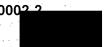
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MEMORANDUM FOR:		REGULATIONS CO	NTROL STAFF, 551 Matomic Building	L STAFF, 551 Matomic Building		
SUBJ	ECT:	Proposed	Employee Inventions			
i ta						
	This issues	nce has been rev	lewed and our position is as fol	lows:		
		Check each factor Substance	considered)			
	()	Rescissions liste	ed			
	1 1	Classification Distribution prop	posed			
			or field issuances only). not affecting concurrence, attac	hed in		
•		duplicate				
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GENE	RAL COUNSEL	, only:	-			
	CONCUR as	to legality				
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(Job No. 1689-A-EMT) Due: 21 August 1956 C-O-N-F-I-D-E-N-T-I-A-L

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EXPLOYEE INVENTIONS

Rescissions

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(1) CIA

i 11 December 1951 lated 12 January 1952

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SYNOPSIS: This regulation describes procedures whereby Agency employees who make inventions may have their rights to such inventions determined.

1. DEFINITION

"Invention," as defined in Executive Order 10096 and as used for purposes of this regulation, includes any art, machine, manufacture, design, or composition of matter, or any new and useful improvement thereof, or any variety of plant, which is or may be patentable under the patent laws of the United States.

2. PATENTS BOARD

Executive Order 10096 dated 23 January 1950 established policies for determining the rights of Government employees in any inventions made during a period of Government employment. To accomplish the purposes of this directive, the CIA Patents Board was established to act in behalf of the Director of Central Intelligence in making determinations of the employee's rights, subject to the review and decision of the Chairman, Government Patents Board. Members of the CIA Patents Board are designated by the Deputy Director (Support).

3. CLA PATENTS BOARD ACTION

There are three possible determinations which may be made?

a. The Government is entitled to the entire right, title, and interest in the invention;

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- b. The inventor is entitled to retain title in the invention but subject to the reservation to the Government of a nonexclusive, irrevocable, royalty-free license in the invention with the power to grant licenses for all Government purposes; or
- c. The inventor is entitled to the entire right, title, and interest in the invention.
- 4. CRITERIA FOR ACTION

Executive Order 10096 provides that the Government may take title to inventions which:

- a. Are made during working hours; or
- b. Are made with a contribution by the Government of facilities, equipment, materials, funds, or information, or of time or services of other Government employees on official duties; or
- c. Bear a direct relation to, or are made in consequence of, the duties of the inventor.

However, if the contributions by the Government as enumerated are not sufficient to entitle the Government to an assignment of the invention, it may be determined that the Government will take only a royalty-free nonexclusive license, leaving the commercial rights with the inventor. If the contributions by the Government are relatively insignificant, it may be determined that the inventor has complete ownership.

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5. EMPLOYEES AFFECTED

Employees of this Agency who have made inventions on or after 23 January 1950 while employed by this Agency, or by another Government activity, should have their rights in those inventions determined. This may be done by the inventor submitting the facts pertinent to the making of the invention to the CIA Patents Board for its review and determination of his rights. The Board's decision will then be forwarded to the Chairman, Government Patents Board, for his review and final determination.

6. REPORTING

Form No. 9158 Record of Invention, figure 1 has been designed to assist employees in reporting the information required for the determination of rights. This form, with instructions, may be obtained from the Chairman, CIA Patents Board.

DISTRIBUTIONS ALL EMPLOYEES

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FORM NO. 915

Figure 1 C-O-N-F-I-D-E-N-T-I-A-L

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ORIGINAL DOCUMENT MISSING PAGE(S):

Enclosure Concurrence, shoot